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August 2, 2021

VIA ECF AND E-MAIL

Hon. Philip M. Halpern, U.S.D.J.
Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150

RE: Congregants of Mosdos v. Mosdos Chofetz Chaim, et. al. (21-cv-4688)

Dear Judge Halpern:

The undersigned is counsel to Mosdos Chofetz Chaim Inc. ("Mosdos") and Chofetz Chaim Inc. ("CCI"), both Defendants/Appellees in the above-referenced appeal. Today, an evidentiary hearing was scheduled to take place before Judge Drain in the Bankruptcy Court on another aspect of this matter. However, the hearing was adjourned because Judge Drain directed counsel to file Briefs on potential dispositive issues. However, Judge Drain indicated a willingness to mediate between the parties between now and the adjourned date of the hearing to attempt to arrive at a resolution. Both parties agreed to the same. Judge Drain directed us to advise you as to that and request permission from you (because an appeal from the matter is pending before you) to proceed with the mediation. I was advised by Judge Drain's Chambers that August 10, 2021, is available for the mediation.

Therefore, I respectfully request permission to have the parties proceed with the mediation before Judge Drain on August 10, 2021.

Thank you for your attention.

Respectfully,



MICHAEL LEVINE

cc. Robert Spolzino, Esq. (via email)
M. David Graubard, Esq. (via email)
Hon. Robert D. Drain, U.S.B.J. (via email)